RESPONSE TO RESTRICTION REQUIREMENT

This paper is responsive to the Office Action mailed on February 26, 2007, requiring restriction to one set of claims to pursue in the above-identified application.

The Examiner stated in the Office Action that this application contains claims directed to the following patentably distinct inventions: Group I, including claims 1 and 20, drawn to a formulation comprising a therapeutically effective amount of levomepromazine, EDTA and monothioglycerol (MTG) or glutathione; Group II, including claims 21-41, and 62, drawn to a formulation comprising a therapeutically effective amount of levomepromazine, EDTA, monothioglycerol or glutathione, and ascorbic acid; Group III, including claims 42-61, drawn to a formulation comprising a therapeutically effective amount of levomepromazine, EDTA, ethylgallate or cysteine, and ascorbic acid; Group IV, including claim 63, drawn to a formulation comprising a therapeutically effective amount of levomepromazine HCl, ascorbic acid, EDTA, and MTG; Group V, including claims 64-65, drawn to a stable terminally sterilized formulation comprising a therapeutically effective amount of levomepromazine wherein said formulation contains a concentration of total impurities of less than about 3% by weight per volume of the formulation and is terminally sterilized; Group VI, including claims 66-73, drawn to a method of stabilizing a formulation of levomepromazine, comprising levomepromazine, EDTA, MTG or glutathione, and sparging said formulation with an oxygen-free inert gas; Group VII, including claims 74-82, drawn to a

method for stabilizing a formulation of levomepromazine comprising a therapeutically effective amount of levomepromazine, EDTA, MTG, and ascorbic acid; Group VIII, including claims 83-90, drawn to a method for stabilizing a formulation of levomepromazine comprising levomepromazine, EDTA, ethylgallate or cysteine, and ascorbic acid, and sparging said formulation with an oxygen-free inert gas; Group IX, including claims 1 and 91, drawn to a method of treating a disorder in a patient in need thereof, comprising administering a formulation a therapeutically effective amount of levomepromazine, EDTA, and monothioglycerol (MTG) or glutathione; Group X, including claims 21 and 92, drawn to a method of treating a disorder in a patient in need thereof, comprising administering a formulation a therapeutically effective amount of levomepromazine, EDTA, monothioglycerol or glutathione, and ascorbic acid; and Group XI, including claims 42 and 93, drawn to a method of treating a disorder in a patient in need thereof, comprising administering a formulation a therapeutically effective amount of levomepromazine, EDTA, ethylgallate or cysteine, and ascorbic acid.

In response, Applicant hereby elects the claims of Group V without traverse. Group V includes claims 64-65, drawn to a stable terminally sterilized formulation comprising a therapeutically effective amount of levomepromazine wherein said formulation contains a concentration of total impurities of less than about 3% by weight per volume of the formulation and is terminally sterilized.

Conclusion

No fee is believed due. Any deficiencies or credits necessary to complete this communication should be applied to Deposit Account No. 23-3000. The Examiner is invited to contact the undersigned attorney with any questions or remaining issues.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

By: /David E. Jefferies/
David E. Jefferies, Reg. No. 46,800